Submit completed application to: Kansas Department of Agriculture Division of Water Resources Field Office for your area. Call for address:

Topeka -- (785) 296-5733 Stafford -- (620) 234-5311 Stockton -- (785) 425-6787 Garden City -- (620) 276-2901 http://agriculture.ks.gov/dwr

DWR FIELD OFFICE APPLICATION FOR APPROVAL TO CHANGE THE PLACE OF USE AND/OR THE POINT OF DIVERSION



STATE OF KANSAS

Filing Fee Must Accompany the Application, K.S.A. 82a-708b(b), as amended. Fee Schedule is on the third page of this application form.

than	n 100 feet	t, or if p	place o	of use	will be	e char	ited. (nged, i	Compl include	l ete al l ∍ a tor	l other	r appli hic ma	icable ap or c	portio detailed	ns. If I plat	chang showir	je in p ng the	oint of autho	divers	sion is greater and proposed
poin	nt(s) of dive	ersion a	and/or	place	ot use.						<u>-</u>						RE	CEIV: 31,0	/ED >m
						F	ile No	. <u>2928</u>	7						AUG 2 4 2016				
1.	under the	Application is hereby made for approval of the Chief Engineer to change the (check one or both): Garden City Field Office Division of Water Resources under the water right which is the subject of this application in accordance with the conditions described below.									Hon								
	The source	ce of su	ipbly is	s:		⊠ G	Ground		Ц	Surfac	e wau	er							
2.	PO BOX 1013 GARDEN CITY KS 67846																		
	Phone No																		
	PO BOX					•		6 <u>1 1 X 1</u>	LEWI	<u> </u>	u uno i								
	Phone No								Email	addre	 ss:								
3.	The presi												_	_					
	Owner of	i Land -	N/	AME:	<u>FRY F</u>	<u>AMILY</u>	<u> FARI</u>	MS LC											
				ESS: !	_														
_	(If there is	more th	an one	landov	ner, at	tach su	ppleme	ental sh	eets as	neces	sary.)								
				NE%			<u> </u>	NW¼			SW¼			 -		E¼		TOTAL ACRES	
Se	ec. Twp.	Range	NE¼	NW¼	SW¼	SE½	NE¼	NW½	SW¼	SE½	NE¼	NW¼	SW¼	SE¼	NE¼	NW½	SW¼	SE¼_	
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4.	4. If this application is for a change in place of use, it is proposed that the place of use be changed to: Owner of Land NAME: no change to acres ADDRESS:																		
	(If there is			_						neces	sary.)								
	(11 01010 10	11010	u., ç				FF				Γ <u>΄</u>	SV	— — N1¼			SI	 Е¼		TOTAL
Se	so Turn	Range	NE%		E¼ Sw¼	SE1/4	NE%	NE% NW% SW% SE%			SW% NE% NW% SW% SE%				SE¼	ACRES			
Se	С. тур.	Range	INL/4	14174	011,7	02.7	112/1	1111.75	V			<u> </u>							
									<u> </u>			1	†				Γ		
			 								 								
			<u></u>				<u>-</u>				11				,				
	For Offic	ce Use	Only:	Code	_	Fe	e \$_7	.00	TR	#		Re	ceipt	 Date _	8/2~	1/16	Chec	:k#_/(1509

	One in the		Quarter of the	nc	Quarter o	f the <u>nw</u>	Quarter
٠, ,							9 W,
	in Gray	Coun	ty, Kansas, <u>3970</u>	feet No	rth <u>3980</u> feet	West of Southeas	t corner of section.
	Authorized Rate						
ļ	(DWR use only: Co						
- 1	☐ This point will n	ot be change	d 🛛 This point w	ill be char	ged as follows:		
Ì	Proposed point of	_					
-	One in the					f the nw	Quarter
	of Section						
	in <u>Gray</u>						
	Proposed Rate						
							·
L	· · · · · · · · · · · · · · · · · · ·			ourior man	. Tigrito trat irin acco	positi	·
٦ ر	Presently authorize	d point of div	version.				
6.	One in the				Quarter o	f the	Quarter
- 1	of Section						
- 1	in	Count	, Township	foot No	Souut, re	Most of Coutboos	t corner of coation
ı	Authorized Rate (DWR use only: Co						
	☐ This point will no	•	•				eet west)
	-	_	<u> </u>		-		
	Proposed point of o					f 4h a	Overden
	One in the						
	of Section	Count	, Township	foot No	South, Re	Most of Southons	(E/VV),
ł							
- }	Proposed Rate						
L	This point is: Add	itional well	☐ Geo Center List	other water	r rights that will use t	nis point	
7	Why do you need a ne	w noint of div	ersion?	13a.	If the proposed poin	t of diversion will b	e relocated within 100
•	Tiny ao you noou a m	on point of and		_	feet of the existing r	oint of diversion, i	ndicate its location on
	old well needs to be re	eplaced		_	the diagram below in (PLEASE NOTE:	relation to the exis	ting point of diversion. r of diagram below
					represents present	y authorized poin	t of diversion.)
				_		North	
8.	If a well, is the test ho	e log attached	? ⊠ Yes ☐ No) 0 50	
						1111411111	
9.	When do you prop	ose to comp	plete the new point	of	F	=	7
	diversion?				50 ├ +	- +	⊣ 50
	September 30, 2016			_	- - -	=	₫~~
10	If the point of diversion	r is a well:					\exists
,0.	·		se ald wall?		West 0 [—↓↓↓↓	1111 <u>X</u> +111	II—OEast
	(a) What are you go	ng to do with ti	ie old weit?		-	_	4
	plug			_	50 E +	= .	∃ ₅₀
					30 	_ +	730
	(b) When will this be	done? 2016		_	- - -	= _	4
					<u> </u>	<u>,,,,</u>	
11.	Groundwater Mana	gement Di	strict recommenda	ition	100 50	0 _ 50	100
	attached?	⊠ No				South Scale: 1" = 100 "	
				13b	If the proposed point		e relocated more than
12.	Assisted by tom			- 100.	100 feet but within	1320 feet from	the existing point of
					diversion, attach a	topographic map	or aerial pȟoṫograph. s (including domestic)
					within one-half mile of	of the proposed poi	nt of diversion and the
					names and mailing	addresses of the	owners. For surface
					water sources, sho landowner(s) one-ha upstream from your p	alf mite downstrea	m and one-half mile

5. Presently authorized point of diversion:



Well Design & Construction

Customer Name: FRY FAMILY FARMS LC - AG MANAGEMENT CONSULTANTS NE/NW 28-27S-29W Legal: County: GRAY G.P.S.: 37 40' 42.0384" N Date: -100 29' 51.9504" W WO #: 16-448 DRILLER: WATER SUPPLY: CUSTOMERS WELL HELPER(S): **DRILLING RIG: TBD BOREHOLE DIAMETER: 30" DRILLING METHOD: REVERSE CIRCULATION CASING DIAMETER: 16"** QUIKGEL: TBD **HOLE PLUG: 20+** TOTAL WELL DEPTH: 320' **GRAVEL: 75 TONS OF #1 COARSE** DRILLING FLUID: TBD **GRAVEL SUPPLIER: HUBER** ADDITIONAL INFO: 36" X 20' CMP SURFACE CASING WITH 46" BOREHOLE AND CONCRETE GROUT GROUT AND SCREEN AND **GRAVEL CASING** IRRIGATION WELL 1" SOUNDER TUBE . 2' GROUT / 46" X 20' BORE HOLE **HOLE PLUG** 36" X 20 CMP (96+ SACKS) CONCRETE GROUT 20' **GRAVEL** 16" .250 WALL **PACK PLAIN** STEEL CASING 1" SCH 40 PLAIN SOUNDER TUBE 200' 16" JOHNSON 200' .080 SLOT 1" SCH 40 **AGRI - SCREEN PERFORATED SOUNDER TUBE** 3001 -300' 16" .250 WALL SOUNDER TUBE PLAIN **STOPS** STEEL CASING 320' (SUMP)

320'

WELL LOG

Downey Drilling Inc.
LEXINGTON, NE THE

CUSTOMER NAME:	FRY FAMILY FARMS.	LLC

LEGAL: NE/NW 28-27S-29W

COUNTY: GRAY COUNTY

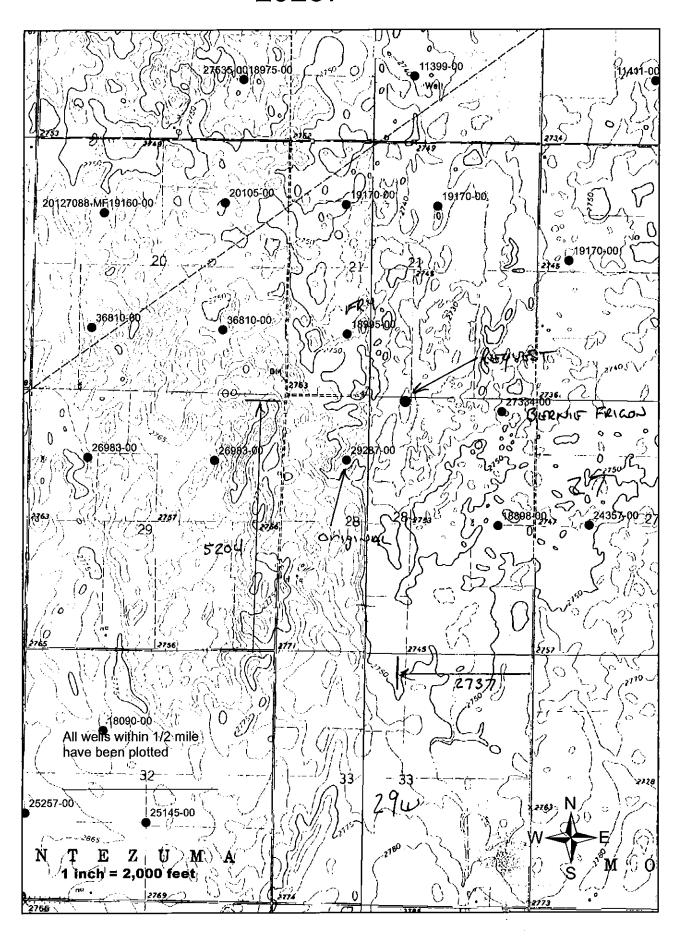
GPS: <u>37</u> 40' 42.0384" N

-100 29' 51.9504" W

DATE: 8/22/2016

OTHER: 16-448

T W	FROM	то	ТҮРЕ	HARDNESS	COLOR	OTHER / DRILLING ACTION
	0	1	SILT AND SAND		BROWN	
	1	26	SAND		BROWN	
	26	45	CLAY		LT GRAY	
	45	55	SANDY CLAY WITH A FEW SAND LENSES		BROWN	
	55	62	MEDIUM-COARSE SAND			
x	62	72	COARSE-VERY VERY COARSE SAND WITH FINE GRAVEL			
x	72	125	VERY VERY COARSE SAND AND FINE-MEDIUM-TRACE OF COARSE GRAVEL			
	125	142	MAG AND SANDY CLAY WITH A FEW MEDIUM SAND LENSES			
Ш	142	144	MEDIUM SAND WITH SILT			SOM CHATTER
	144	156	MEDIUM SAND WITH A FEW THIN SANDY CLAY STRS			STEADY CHATTER
Ц	156	161	SANDY CLAY	4		
	161	180	SANDY CLAY WITH SAND SAND LENSES			IN & OUT CHATTER
x	180	187	MEDIUM SAND WITH SANDY CLAY STRS			SOME CHATTER
x	187	211	MEDIUM-COARSE SAND (CLEAN) TRACE OF VERY VERY COARSE SAND			STEADY CHATTER
Ц	211	221	MEDIUM-COARSE-TRACE OF VERY COARSE SAND WITH SILT LENSES			STEADY CHATTER
	221	233	FINE-MEDIUM GRAVEL			MORE CHATTER
_	233	242	FINE-MEDIUM GRAVEL WITH SOME BROWN ROCK			AGGRESSIVE CHATTER
\sqcup	242		COARSE-VERY VERY COARSE SAND WITH A TRACE OF FINE GRAVEL COARSE-VERY VERY COARSE SAND, FINE GRAVEL, AND A FEW SILT			
	268		LENSES			
	280	299	FINE-MEDIUM GRAVEL WITH BROWN ROCKS AND PEBBLES			
	299	302	BROWN REWORKED SANDSTONE - ROUNDED		 	
_	302	320	SHALE			
4						
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14. If the proposed groundwater point of diversion is 300 or fewer feet from	n existing point of diversion, complete the following:						
 (a) Does the undersigned represent all owners of the currently author ☐ Yes ☐ No (If no, all owners must sign this application) 							
 (b) Will the ownership interest of any owner of the currently authorized place(s) of use identified in this application be adversely affected if this application is approved as requested? Yes No (If yes, all owners must sign this application.) 							
(c) If this application is not approved expeditiously, will there be subs ☐ Yes ☐ No (If no, all owners must sign this application)							
If the application proposes a surface water change in point of diversion, a content of the application must be signed by all owners content (attach notarized statement authorizing representation).							
I hereby verify, being first duly sworn upon my oath or affirma age and the owner, the spouse of the owner, or a duly authoriz their behalf, in regard to the water right(s) to which this application are true, correct and complete.	ed agent of the owner(s) to make this application or cation pertains. I further verify that the statements						
Dated at, Kansas, this	24th day of August, 20 16.						
X El Pannie	(Spouse)						
(Please Print)	(Please Print)						
(Owner)	(Spouse)						
(Please Print)	(Please Print)						
(Owner)	(Spouse)						
(Please Print)	(Please Print)						
State of Kansas County of	vl						
I hereby certify that the foregoing application was signed in my	presence and sworn to before me this 24^{17} day of						
JULIE JONES Wy Appointment Expires My Commission Expires December 15, 2018	Nogary Public						
ONLY COMPLETE APPLICATIONS WILL BE PROCESSED. To be complete, all of accurate information; maps, if necessary, must be included; signatures of all the application appropriate fee must be paid.	the applicable portions of the application form must be completed with ropriate owners' must be affixed to the application and notarized; and						
FEE SCHEDUL	E						
Each application to change the place of use or the point of diversion under forth in the schedule below: Make checks payable to: Kansas Departmer (1) Application to change a point of diversion 300 feet or less (2) Application to change a point of diversion more than 300 feet	this section shall be accompanied by the application fee set at of Agriculture \$100 \$200						

SUMMARY ORDER APPROVING APPLICATION FOR CHANGE AND IMPOSING CONDITIONS

This Summary Order is issued under authority of K.S.A. 82a-708b, as amended, and K.A.R. 5-14-3 and other applicable provisions of the *Kansas Water Appropriation Law, K.S.A. 82a-701 et. seq.*, and rules and regulations promulgated thereunder, K.A.R. 5-1-1 et.seq. With the exception of those conditions expressly contained herein, this Summary Order does not change the terms, conditions and limitations of File No. 29287 requesting that the place of use and / or point of A change application was received on diversion authorized under the above-referenced file number be changed as described in the application. On and after the effective date of this summary order, the authorized place(s) of use shall be located substantially as shown on the topographic map accompanying the application to change the place of use. ☐ Applicable ☐ Not Applicable The change in point of diversion shall not impair existing rights and shall be limited to the same source or sources of water as previously authorized. The point of diversion authorized by this summary order shall be located within a 300 foot radius of the authorized point(s) of diversion.

Applicable Not Applicable The point(s) of diversion authorized herein shall not actually be located more than _____ ____ feet from the previously ☐ Not Applicable authorized point(s) of diversion. ☐ Applicable As required by K.A.R. 5-3-5d, if the works for diversion is a well with a diversion rate of 100 gallons per minute or more, a tube or other device suitable for making water level measurements shall be installed, operated and maintained in accordance ☐ Not Applicable with K.A.R. 5-6-13. ☐ Applicable The owner of the authorized place(s) of use shall properly install an acceptable water flow meter on or before December 31, 2016, or before the first use of water, whichever occurs first. The water flow meter shall be installed, operated and maintained in accordance with K.A.R. 5-1-4 through 5-1-12. As required by K.S.A. 82a-732, as amended, and K.A.R. 5-3-5e, the owner shall maintain records and report the reading of the water flow meter and the total quantity of water diverted annually to the Chief Engineer by March 1 following the end of each calendar year.

Applicable

Not Applicable Installation of the works for diversion of water shall be completed on or before December 31, 20<u>16</u>, or within any authorized extension of time. By March 1, 20<u>17</u> the applicant shall notify the Chief Engineer that construction of the works for diversion has been completed, on the form provided by the Chief Engineer, as required by K.A.R. 5-8-4e. ☐ Applicable The completed well log shall be submitted with the required notice. ☐ Applicable ☐ Not Applicable All diversion works into which any type of chemical or other foreign substance will be injected into the water shall be equipped with an in-line, automatic, quick-closing check valve capable of preventing pollution of the source of the water supply. The check valve(s) shall be installed, operated and maintained in accordance with K.A.R. 5-3-5c.

Applicable
Not Applicable Additional Conditions are attached. ☐ Yes ΠNο 11. In accordance with K.S.A. 82a-708a, as amended, and K.A.R. 5-5-14, all of the owners of the authorized place(s) of use of water appropriated under the above-referenced file number are responsible for compliance with its terms, conditions and limitations, as amended and/or supplemented by this Summary Order, and with applicable provisions of the *Kansas Water Appropriation Law* and the *Rules and Regulations* promulgated thereunder. Failure to comply with these provisions may result in civil penalties pursuant to K.S.A. 82a-737, as amended, and/or the suspension or revocation and dismissal of the water or appropriation right or any other enforcement actions authorized by law. FOR OFFICE USE ONLY Administrative Appeal and Effective Date of Order APPLICATION APPROVED AND You have the right to a hearing in accordance with K.A.R. 5-14-3 SUMMARY ORDER ISSUED before this Summary Order becomes final action of the Kansas Department of Agriculture. Any request for a hearing must be filed with the Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, 1320 Research Park Drive, Topeka, Kansas 66502, within 15 days after the date shown on the Certificate of Service attached hereto. If a hearing Duly Authorized Designee of the Chief Engineer (Print Name): is not requested in accordance with K.A.R. 5-14-3, this Summary Order will become effective on the 15th day after the date shown Division of Water Resources - Kansas Department of Agriculture on the Certificate of Service. Date of Issuance: ___ For Use by Register of Deeds State of Kansas) SS County of ___ Acknowledged before me on ______ Signature: _____ Notary Public My commission expires: _____ (Notary Seal)

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DWR 1-121 (Revised 06/16/2014)

File No. _____